

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Confirmation No: 4692
SOERENSEN *et al.* Group Art Unit: 1761
Application Serial No.: 10/725,039 Examiner: Weier Anthony J
Filed: December 02, 2003 Attorney Docket No.: 978150.2/GEI-P0001
For: APPARATUS AND METHOD FOR HYDROLYSIS OF A PROTEIN
CONTAINING RAW MATERIAL AND APPLICATION OF THE RESULTING
HYDROLYSIS PRODUCTS

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 2, 2007

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached PTO/SB/08a. Joint assignees of the above mentioned application, Green Earth Industries LLC and Marine Bioproducts AG, are in litigation in the Hague, Netherlands ("the Court"). The information item(s) listed on the attached PTO/SB/08a is a document submitted by Marine Bioproducts to the Court on September 12, 2007, entitled "Statement of defense with respect to Green Earth's additional claim of 28 February 2007 also amendment of Marine Bioproduct's counterclaim". Since the document submitted by Marine Bioproducts is in Dutch, an English language translation is attached hereto. Applicants refer the Examiner to paragraphs 18 and 19 of the document.

TIMING

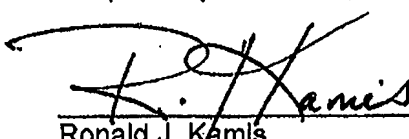
This Information Disclosure Statement is being filed in compliance with 37 CFR § 1.97(d) prior to payment of the issue fee and is accompanied by:

- (1) the certification statement specified in 37 CFR § 1.97(e), which is attached hereto; and
- (2) the fee set forth in § 1.17(p).

The fee of \$180.00 required in connection with the filing of this Information Disclosure Statement is being paid via the USPTO Electronic Filing System. In addition, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 50-3380, referencing Attorney Docket No. 978150.2.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08a be returned to accordance with M.P.E.P. §609.

Respectfully submitted,



Ronald J. Kamis
Registration No.: 41,104

Customer No.: **49442**
Baker & Daniels LLP
805 15th Street, NW, Suite 700
Washington, DC 20005
Telephone No.: (202) 312-7440
Facsimile No.: (202) 312-7460

RJK/lhr

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT****(Not for submission under 37 CFR 1.99)**

Application Number	10725039
Filing Date	2003-12-02
First Named Inventor	10725039
Art Unit	1761
Examiner Name	Weier Anthony J
Attorney Docket Number	978150.2/GEI-P0001

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Ronald J. Kamis/	Date (YYYY-MM-DD)	2007-11-02
Name/Print	Ronald J. Kamis	Registration Number	16894

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.